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Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina

I. Introduction

1. The present report is submitted pursuant to paragraph 19 of Security Council resolution 1357 (2001) of 21 June 2001, by which the Council extended the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for a further 12 months until 21 June 2002. It details the progress of the Mission since my report of 7 June (S/2001/571) and reviews activities conducted jointly by UNMIBH and other parts of the United Nations system in Bosnia and Herzegovina. The Council also received a briefing by my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina on 21 September 2001 (see S/PV.4379).

2. Jacques Paul Klein continued as my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, and General Vincent Coeurderoy as the Commissioner of the Mission's International Police Task Force (IPTF). The current strength of IPTF is 1,673 (see annex).

II. Activities of the Mission

3. The work of the Mission continues to be guided by the mandate implementation plan (S/2000/529, para. 34, and S/PV.4154 and Corr.1, p. 6), which is designed to create within specific timelines the fundamental administrative and personnel structures upon which a professional police force can be built. The original tasks of the plan have been refined into 66 specific projects, of which 43 have been completed and 23 are ongoing.

Police reform

4. Some 24,800 police personnel, comprising about two thirds police and one third administrative staff working in police organizations, have been entered into the UNMIBH Law Enforcement Registry. Of these, provisional authorization to exercise police powers has been granted to 15,491 police officers, comprising 6,625 in Republika Srpska, 8,229 in the Federation, 312 in Brčko District and the remainder in State institutions, such as Interpol and the State Border Service. Full certification of police officers will begin in early 2002 and is expected to be completed by late 2002.

5. UNMIBH has identified a significant number of personnel who are inappropriately serving in law enforcement positions without proper authorization. In many of these cases, law enforcement agencies have circumvented IPTF selection and registration procedures. Police officers who fail to adhere to proper policing standards can have their authorization withdrawn ("de-authorized") by UNMIBH. Between 8 October 1998 and 19 November 2001, 85 police officers were de-authorized for serious dereliction of duty, violations of the law, or for wartime conduct (56 in the Federation, 29 in Republika Srpska). However, de-authorized officers are often retained on the payroll, moved to administrative positions outside the authority of UNMIBH or given positions in public companies. Only rarely have local officials initiated disciplinary or criminal proceedings.

6. Local police, monitored by UNMIBH, now conduct the vast majority of basic training courses. The first management-training course for 120 mid-level and

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senior-level police personnel has been conducted. UNMIBH has also completed training programmes in a number of specialized areas; training in hazardous materials and anti-terrorism activities will continue throughout the mandate of UNMIBH.

7. To strengthen the ability of the police force to respond to public disorder, UNMIBH, in close consultation with SFOR, has developed a practical curriculum for joint training in riot-control for company-sized local police support units. Planning for the eight three-week training courses is under way. This project urgently requires financial assistance from donors. The estimated costs amount to approximately US$ 1.5 million.

8. In July 2001, UNMIBH established a special programme to address the trafficking of human beings, known as the Special Trafficking Operations Programme (STOP). The programme has assisted 90 victims of trafficking, principally from the Republic of Moldova, Romania and Ukraine. Civilian Police monitors assigned to the programme also monitor criminal investigations and legal proceedings following arrests with the assistance of the UNMIBH Criminal Justice Advisory Unit (see para. 16 below). Since July 2001, seven individuals have been convicted of trafficking-related offences. However, overall progress in combating this illegal trade remains severely hampered, partly as a result of weaknesses in the legal system.

9. The response of police forces to violence against minority returnees is an important indicator of police performance. Between June and November 2001, approximately 152 return-related incidents were recorded, 89 in Republika Srpska, 51 in the Federation and 12 in Brčko District. Although the majority were minor incidents involving verbal harassment, a small number represented serious acts of violence, occurring in well-known hot spots in eastern Republika Srpska. These included: the murder of a Bosniac returnee to Vlasenica, damage to Bosniac property in Bijeljina, and the use of explosives against Bosniacs in Bratunac. However, in some areas of Republika Srpska a small improvement in the willingness and ability of the local police forces to address return-related violence has been noted. In contrast to the outbreaks of serious violence in May 2001, the Republika Srpska police adequately contained demonstrations at the second Ferhadija mosque opening in June 2001. Continuing police investigations into the May 2001 violence and a murder in Vlasenica in July 2001 were generally adequate; the police officers who protected perpetrators of minority violence in Bijeljina have been dismissed and criminally prosecuted. Many severe incidents remain unresolved, however, demonstrating serious investigative lapses on the part of the police.

Police restructuring

10. UNMIBH has continued the "Police Commissioner" project (see S/2000/571, para. 16), which is an important element in its efforts to create a non-political police service, shielded from direct political interference. Ad interim police commissioners have now been appointed in the Federation Ministry of Interior, six Federation cantons and the Republika Srpska Ministry of Interior. The introduction of necessary amendments to the Laws on Internal Affairs at the cantonal level and in Republika Srpska is under way. The project, however, is facing obstruction in the mixed Croat-Bosniac canton 6 over the choice of ad interim police commissioner (Bosniac), and in the three cantons with Croat majority. The High Representative, following a written request from my Special Representative, has offered his support to overcome this obstruction.

11. To improve internal management, and enhance professionalism and accountability, following a countrywide appraisal of disciplinary mechanisms and legal procedures, UNMIBH introduced a disciplinary code. Already adopted by the State Border Service, the code will serve as a model for Republika Srpska and the Federation. To develop the modalities for intensive police force restructuring, the Mission has carried out a detailed pilot audit of one canton, to be followed by comprehensive audits of all law enforcement institutions in 2002.

12. Ensuring minority representation in local police forces continues to be one of the Mission's most difficult and labour-intensive projects. The recruitment of minority officers involves advertising vacancies, vetting prospective candidates, liaison with non-governmental organizations over housing, and supporting integration at the workplace. Since January 2000, 99 minority police officers have received housing reconstruction assistance. Currently, 179 police officers are awaiting assistance, prior to taking up their posts.

13. UNMIBH has continued its minority recruitment programmes aimed at increasing minority police representation in the local police forces. Two academies run training courses for new cadets and refresher courses for former police officers; the voluntary redeployment programme encourages serving officers to relocate. To date, 608 cadets have graduated and 329 are in training. Six refresher courses have been organized, involving 71 participants, half of whom have taken up mid-level or senior-level positions. Seven rounds of voluntary redeployment have led to the relocation of 77 minority officers, either cross-Entity or from canton to canton. A unified selection standard has been introduced at both institutions to improve the quality of new recruits. As a result of determined efforts to increase female representation, the current Federation academy class is 75 per cent female, representing a threefold increase over previous classes. Approximately 2.4 per cent of the State's registered and provisionally authorized police personnel are women (3 per cent in the Federation, 1.4 per cent in Republika Srpska).

14. As of November 2001, there were 934 provisionally authorized minority police working in the Federation out of a total of 8,229 (11.3 per cent). In Republika Srpska, 211 minority officers have been provisionally authorized from a total of 6,625 (3.2 per cent). It should be noted that the State Border Service and Brčko District police services are totally multi-ethnic, which is not reflected in the overall percentages. The recent appointment of Alija Hasic, a Bosniac, as Deputy Station Commander at the newly opened Srebrenica police station, which was initiated, designed and partly funded from the Trust Fund for the Restoration of Essential Services in Sarajevo (see para. 30 below), represents a positive step towards further minority police deployment to Srebrenica and an incentive for minority return.

Cooperation between the police and the criminal justice system

15. The Independent Judicial Commission, operating within the framework of the Office of the High Representative, continues to focus on overhauling the judiciary (judges and prosecutors). Progress has been slow, however, and even where police officers and institutions fully comply with their obligations and responsibilities, judicial misconduct has compromised prosecutions of perpetrators of ethnic violence, police misconduct and trafficking in human beings. Police officers are often discouraged from pursuing arrests and prosecutions, public confidence in the judicial system is low and widespread corruption continues.

16. The UNMIBH Criminal Justice Advisory Unit has provided direct assistance to the local police in their dealings with judicial officials. The Unit has also provided support to the STOP teams, including intervening with prosecutors and investigative judges to generate convictions from successful police actions, and has organized training courses for police officers on crime reporting. Due to imminent legal changes, these courses are now geared towards strengthening cooperation and understanding between police and prosecutors. The Unit has cooperated with other international organizations on criminal justice reform measures, in particular the Bosnia and Herzegovina State Criminal Code and Criminal Procedure Codes, and the related Entity Codes.

State Border Service and inter-police force cooperation

17. The State Border Service, staffed by 1,364 personnel, is now responsible for 75 per cent of Bosnia and Herzegovina's State border, plus Sarajevo airport. Reflecting the increased engagement of the Service along the border, the number of unaccounted-for arrivals through Sarajevo has decreased from 25,000 in 2000 to less than 9,000 as at 1 November 2001. During the summer, a joint campaign conducted by UNMIBH and the Service led to a halt in the significant Air Bosna involvement in transporting illegal migrants to Tuzla. Tighter border control over a wider area has generated an increase in the seizures of contraband items. Between 1 June and 31 October, despite current mobility and communications limitations, the Service seized illegally imported goods and currency worth approximately $1 million.

18. Slow provision of donated vehicles and equipment and lack of adequate funding has delayed the deployment of field offices and mobile support units. The equipment shortfall for 2001-2002 is estimated at approximately $2.5 million; the projected shortfall in funding salaries is $16 million. The International Monetary Fund, at the request of UNMIBH, has agreed to give priority to the State Border Service in donor appeals this autumn. Funding

for equipment for the Service will be solicited at the UNMIBH bilateral donors conference in December.

19. The terrorist attacks in the United States of America on 11 September 2001 had an immediate and wide-ranging impact on domestic and regional security arrangements. The Joint Entity Task Force, created under the auspices of the UNMIBH-chaired Ministerial Consultative Meeting on Police Matters, has developed a national anti-terrorist plan of a duration of five to seven months, which includes the establishment of a database of all information gathered for dissemination among the parties and a registry of all information exchange and operational activity. The State Border Service put into effect tighter border controls at land, air and border crossings and enhanced security measures at Sarajevo airport. The Service has drafted amendments to the Law on Immigration and Asylum to further assist the anti-terrorism measures. Stressing the importance of the Service as an integral part of the fight against terror, the State Government has encouraged accelerated deployment of Service units, particularly to the country's other three airports (Banja Luka, Mostar and Tuzla).

20. To provide a State-level counterpart for the international fight against crime, encourage national information exchange and supply protection for national institutions and foreign representatives, UNMIBH facilitated the preparation of a draft law to create a State Information Protection Agency. The draft law is currently before the Bosnia and Herzegovina Presidency.

21. Inter-police cooperation is also pursued at the regional level. The Committee of Ministers, chaired by UNMIBH, which includes the Interior Ministers from the Federal Republic of Yugoslavia, Croatia, the Entity Interior Ministers of Bosnia and Herzegovina, and the SBS Director of the State Border Service (see S/2000/571, para. 27), approved on 12 September a regional strategy to combat illegal migration, organized crime and terrorism. The strategy includes regional information exchange to enhance the identification of suspected terrorists and affiliated organizations.

Police and public awareness

22. To break down the heritage of suspicion between the public and the police, more than 1,000 community events have been organized so far during 2001. These include "open days", school visits, demonstrations of law enforcement skills and picnics hosted by the police for children with special needs. Information campaigns to heighten public awareness of the rights and obligations of the police and citizens have continued. A major multimedia nationwide campaign, highlighting the issue of domestic violence and outlining the assistance available to the public from the police, social services and non-governmental organizations, was held earlier in the year. A national campaign to publicize and gain public support for the State Border Service was launched in August. Roadside billboards, a video spot, leaflets and a widely reported launching ceremony explained the role of the Service. The bimonthly Service newsletter "Borderline" continues to be published in local languages and in English. Since the relaunch in August of the UNMIBH web site, the number of daily hits has increased by 50 per cent, regularly reaching 2,000 and occasionally as many as 3,000.

Participation in United Nations peacekeeping operations

23. The second training course for United Nations military observers in Bosnia and Herzegovina was held at UNMIBH headquarters at the end of September. The 10-day course, attended by 21 officers from both the Federation and Republika Srpska, prepared the officers for deployment to the United Nations Mission in Ethiopia and Eritrea in early 2002, when they will replace the current nine-person contingent from Bosnia and Herzegovina. A civilian police contingent from Bosnia and Herzegovina continues to serve with the United Nations Transitional Administration in East Timor. Work is in the final stages on establishing a Bosnia and Herzegovina multi-ethnic military composite unit, a light transport company with strength of approximately 130 personnel. The training programme for the unit has included the collection and transportation of vehicles and equipment, donated by the Government of Switzerland, from Berne to Sarajevo in November.

III. Joint activities of the United Nations system

24. Improved security and greater cooperation from some local officials has resulted in an increase in

minority returns. As at 30 September 2001, the Office of the United Nations High Commissioner for Refugees (UNHCR) had reported 56,683 minority returns, compared to 60,000 for the previous year. However, housing reconstruction remains slow. An estimated 22,401 homes are required to cover the current needs of potential returnees as well as those who have already returned. The Property Law implementation rate has slightly improved, rising to an average of 34 per cent nationwide, with 43 per cent recorded in the Federation, 24 per cent in Republika Srpska and 30 per cent in Brčko District. However, in some areas of eastern Republika Srpska, notably Foca, Sokolac and Srebrenica, and in parts of Herzegovina, less than 10 per cent of claims have been resolved.

25. The "Common country study on Bosnia and Herzegovina", an overview produced by the United Nations development agencies touching upon such issues as returns, education, health, environmental degradation and economic development, has been formally launched and is awaiting the approval of the Council of Ministers. The large-scale mine awareness campaign, carried out in cooperation with the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross, has continued. The United Nations Development Programme (UNDP) project to support the national mine clearance structure was approved by the Federal Government and has facilitated acceptance of a law on new legislative and institutional arrangements. UNDP also supported the State Government in approving annex A to the Dayton Accords, which allows access to the Global Environment Facility and provides funding for environment-related challenges and compliance with international conference obligations in environmental matters.

26. To reduce pressure on the struggling economy, the World Bank has approved new loans amounting to a total of $89.9 million, allocated for projects on poverty alleviation, community development, privatization of State-owned firms and reconstruction of electricity infrastructure. To address deeper structural problems, the Bank has published reports outlining the extent to which corruption, investment barriers and lack of creditworthiness affect the State's longer-term viability, as well as a mid-term assessment of its own programmes, which includes a detailed analysis of risks and policy recommendations.

27. Acting upon the recommendations of the theme and technical groups of the Joint United Nations Programme on HIV/AIDS (UNAIDS), UNICEF has now successfully implemented a rapid assessment and response project on HIV/AIDS. Through the Joint Youth Programme, UNICEF has conducted a nationwide survey among local youth on HIV/AIDS awareness, attitudes towards HIV/AIDS, and substance abuse. Further support to refugees from the Federal Republic of Yugoslavia has also been provided, with particular attention paid to the psychological needs of Roma children.

28. The Office of the United Nations High Commissioner for Human Rights continues to provide useful expertise, guidance and coordination on human rights issues both to other United Nations agencies, particularly IPTF, and to governmental as well as non-governmental institutions. UNMIBH has coordinated closely with the United Nations Educational, Scientific and Cultural Organization (UNESCO) on some important cultural projects such as restoration of the Sarajevo Haggadah and the reconstruction of the Old Orthodox Church Museum.

IV. Trust funds

29. The Trust Fund for the Police Assistance Programme in Bosnia and Herzegovina has received contributions of $14.4 million. These moneys have been used to refurbish academies, procure uniforms, vehicles and computers, and train local police and State Border Service personnel. The additional funds required for the regular police and State Border Service amount to $6.4 million. UNMIBH will host a donors conference for all police needs in Sarajevo in December 2001.

30. The Trust Fund for the Restoration of Essential Public Services in Sarajevo, established in 1994, has so far received contributions totalling $20.8 million. In addition, interest income of $3.1 million has been utilized to finance projects. From an aggregated income of $23.9 million, projects totalling approximately $23.4 million have been implemented or approved for implementation. Currently, 44 projects estimated at $4.4 million are ongoing, including 19 projects outside Sarajevo Canton. One of these projects was the conception, design, construction oversight and supply of furniture and communications equipment for the model police station in Srebrenica, which opened in

November 2001. The project was partially funded by the Government of Republika Srpska.

V. Financial aspects

31. The General Assembly, by its resolution 55/268 of 14 June 2001, appropriated an amount of $144.7 million gross for the maintenance of UNMIBH for the 12-month period from 1 July 2001 to 30 June 2002. As at 31 October 2001, unpaid assessed contributions to the special account for UNMIBH amounted to $107.6 million. The total outstanding assessed contributions for all peacekeeping operations at the same date amounted to $2,611 million.

VI. Observations

32. UNMIBH continues to progress towards the goal of completing its core mandate. Significant achievements since my last report include a qualitative improvement in inter-Entity and regional police cooperation, which now focuses on anti-terrorism activities; the effective work of the State Border Service, which has reduced by two thirds suspected illegal migration to Europe; the launching of the Police Commissioner project; the success of the STOP project in tackling human trafficking; the introduction of a disciplinary code to improve internal management systems and accountability in the police force; and the intensive preparatory work to establish a State Information and Protection Agency, legislation for which is now before State bodies.

33. In the politically difficult environment of Bosnia and Herzegovina, these achievements have not come easily. UNMIBH has had to overcome strong resistance and, sometimes, defiance. UNMIBH continues to rely on the High Representative to break through obstruction, establish conducive political conditions, accelerate judicial reform and support requests for essential financial resources.

34. Of particular importance for the completion of key projects in the mandate implementation plan is the provision of $6.4 million to provide essential equipment for the State Border Service and basic equipment for the police. I appeal to Member States to contribute generously to the priority projects of UNMIBH as identified in the appeal for contributions to the Trust Fund for the Police Assistance Programme in Bosnia and Herzegovina. I also draw the attention of donors to the overall shortfall in funding for salaries for the full deployment of the State Border Service in 2002.

35. I welcome the opening in Srebrenica of the first model police station constructed by UNMIBH and the cooperation of the Prime Minister of Republika Srpska in appointing the first Bosniac to a senior police position at the station. I encourage more Bosniac police officers to return as an essential confidence-building measure to underpin two-way returns in the area. To these ends, UNMIBH has contributed to the improvement of the infrastructure in the area, utilizing $1.6 million released, by agreement with donors, from the Trust Fund for the Restoration of Essential Public Services in Sarajevo. However, much more needs to be done to overcome the tragic past. In order to identify the overall needs and potentials for development, an expert UNDP mission has recently conducted an initial assessment of requirements for a multi-year, area-based economic and social recovery plan, which would complement and extend the current Srebrenica action plan. The results of the assessment will be widely shared upon its completion in the coming months.

36. UNMIBH is expected to complete its core mandate by December 2002, as envisaged by its mission implementation plan. Thereafter, however, there will still be a need for continued monitoring and assistance to preserve what has been achieved. This could be carried out by a smaller police mission of approximately one quarter of the present strength of UNMIBH. Given the many commitments that the United Nations is facing, it would, in my view, be desirable for regional actors to assume responsibility for such a mission. I have instructed my Special Representative to cooperate fully with the organizations that are assessing the requirements for the follow-on police mission and may have the capacity to undertake it. An early decision on this matter would be important to ensure timely planning and a smooth transition. UNMIBH is also participating actively in current discussions on streamlining the international presence in Bosnia and Herzegovina to improve efficiency and coordination with relevant international organizations.

37. In conclusion, I would like to express my appreciation to my Special Representative, Jacques Paul Klein, and the IPTF Commissioner, General Vincent Coeurderoy, for their strong leadership and to the men and women of UNMIBH for their dedication and persistence in the promotion of peace in Bosnia and Herzegovina.

Annex

Composition and strength of the International Police Task Force as at 20 November 2001

Argentina	21
Austria	35
Bangladesh	32
Bulgaria	48
Canada	9
Chile	6
China	15
Czech Republic	6
Denmark	31
Egypt	47
Fiji	13
Finland	12
France	104
Germany	163
Ghana	70
Greece	10
Hungary	13
Iceland	3
India	99
Indonesia	27
Ireland	35
Italy	23
Jordan	150
Kenya	7
Malaysia	41
Nepal	18
Netherlands	53

Norway	13
Pakistan	121
Poland	49
Portugal	41
Romania	18
Russian Federation	31
Senegal	3
Spain	33
Sweden	30
Switzerland	8
Thailand	5
Turkey	38
Ukraine	29
United Kingdom of Great Britain and Northern Ireland	76
United States of America	87
Total	**1 673**